

REMARKS

The Office Action dated June 27, 2008, has been received and carefully noted. The above amendments to the claims, and the following remarks, are submitted as a full and complete response thereto.

By this Response, claims 1-6, 9-11, 13, 19, and 32-36 have been amended to more particularly point out and distinctly claim the subject matter of the present invention. Claims 21-31 have been cancelled without prejudice or disclaimer. Claims 32-43 have been added. No new matter has been added. Support for the above amendments is provided in the Specification on at least page 7, line 29, to page 8, line 15. Accordingly, claims 1-20 and 32-43 are currently pending in the application, of which claims 1, 32, 37, and 40 are independent claims.

In view of the above amendments and the following remarks, Applicants respectfully request reconsideration and timely withdrawal of the pending rejections to the claims for the reasons discussed below.

Claim Rejections under 35 U.S.C. §102(e)

The Office Action rejected claims 1-36 under 35 U.S.C. §102(e) as allegedly anticipated by Denenberg, *et al.* (U.S. Patent No. 6,859,649) ("Denenberg"). The Office alleged that Denenberg discloses or suggests every feature recited in claims 1-36. Applicants respectfully submit that the claims recite subject matter that is neither disclosed nor suggested in Denenberg.

Claim 1, upon which claims 2-20 depend, recites a method. The method includes detecting a change in subscription information of a subscriber, checking whether a capability of a network element serving a terminal device of the subscriber is still in accordance with the changed subscription information, and initiating in response to the result of the checking a registration procedure for registering the terminal device of the subscriber to a new serving network element.

Claim 32, upon which claims 33-36 depend, recites an apparatus. The apparatus includes a processor configured to detect a change in a subscription information and to initiate a registration procedure for registering a terminal device of a subscriber to a new serving network element in response to a result of a checking operation to check whether a capability of a network element serving a terminal device of said subscriber is still in accordance with said changed subscription information.

As will be discussed below, Denenberg fails to disclose or suggest each and every element recited in claims 1-20 and 32-36, and therefore fails to provide the features of the claims discussed above. Claims 21-31 have been cancelled without prejudice or disclaimer.

Denenberg is directed to a method for registering with a communication service. The method determines whether a given mobile communication device is eligible to register for a particular service. A first database tracks the equipment capabilities of various mobile devices. A second database tracks which regions of a plurality of geographic regions are available to receive the service. These databases are checked

when the system receives a request to register for the service (Denenberg, Abstract; col. 3, lines 38-67).

Applicants respectfully submit that Denenberg fails to disclose or suggest each and every element recited in claim 1, and similarly recited in claim 32. In particular, Denenberg fails to disclose or suggest, at least, “detecting a change in subscription information of a subscriber, checking whether a capability of a network element serving a terminal device of said subscriber is still in accordance with said changed subscription information, and initiating in response to the result of said checking a registration procedure for registering said terminal device of said subscriber to a new serving network element,” as recited in claim 1, and similarly recited in claim 32.

The Office Action alleged that Denenberg discloses the aforementioned claim features, citing column 4, lines 35-42 of Denenberg. However, a review of these passages demonstrates that Denenberg fails to disclose or suggest each and every element recited in claim 1, and similarly recited in claim 32.

Rather, Denenberg, at column 4, lines 35-42, describes a *first time* activation process, rather than a change in existing subscription information. Because the subscriber does not yet have a subscription plan including subscription information, it would be improper to conclude that the subscription information is subject to any change via the *first time* activation process described at column 4, lines 35-42. Accordingly, Denenberg fails to disclose or suggest, at least, “detecting a change in subscription information of a subscriber,” as recited in claim 1, and similarly recited in claim 32.

Furthermore, Denenberg, at column 4, lines 35-42, describes a determination that is made whether a mobile communication device (e.g. user equipment) is capable of operating a desired service. Whereas, certain embodiments of the present invention provide for “checking whether a capability of a network element serving a terminal device of said subscriber is still in accordance with said changed subscription information” (emphasis added). Accordingly, contrary to the Office Action’s assertions, Denenberg fails to disclose or suggest, at least, “initiating in response to the result of said checking a registration procedure for registering said terminal device of said subscriber to a new serving network element,” as recited in claim 1, and similarly recited in claim 32.

Accordingly, Denenberg fails to disclose or suggest each and every element recited in claim 1, and similarly recited in claim 32.

Furthermore, the Office Action alleged that Denenberg discloses, “wherein said checking is performed on the basis of a capability information added based on said detecting a response message of a re-registration procedure initiated by said terminal device,” as recited in claim 5. Citing column 5, lines 23-42, the Office Action alleged that in the event of subscriber information incompatibility, the terminal device is de-registered and given alternate capability information for re-registration during the activation periods (See Office Action on page 3). Applicants respectfully disagree.

Rather, Denenberg at column 5, lines 23-42 discloses whether a service should be extended to a given subscriber. An eligibility area database is provided, whereby the eligibility database identifies which billing rates are available in particular geographic

areas. During the registration process, the subscriber is asked to indicate the subscriber's home location. The subscriber's home location is cross-checked against the eligibility area database to ascertain whether the subscriber's home location is eligible for service or billing rate plan requested by the subscriber. If the subscriber is eligible, then the wireless service provider may register the subscriber for the given service or billing rate plan. If the subscriber is not eligible, the subscriber will be notified of its ineligibility, so that the subscriber can be advised as to an alternate billing plan for which the subscriber is eligible based on its home location and/or equipment capabilities (Denenberg, col. 5, lines 23-42).

Accordingly, Denenberg fails to disclose or suggest, at least, "wherein said checking is performed on the basis of a capability information added based on said detecting a response message of a re-registration procedure initiated by said terminal device," as recited in claim 5 (emphasis added).

Furthermore, the Office Action alleged that Denenberg discloses, "wherein a configuration information is provided for determining subscribed services needing predetermined serving network elements," as recited in claim 8.

Citing column 5, lines 43-62, the Office Action alleged that administrative center 280 provides configuration information for terminal devices and network elements for pre-determining which network elements are subscribable (See Office Action on page 3). Applicants respectfully disagree.

Rather, Denenberg discloses a technique for “filtering” service requests in accordance with both equipment capabilities and geographic constraints. Denenberg at column 5, lines 48-62 generally describes the elements of administrative center 280, but fails to disclose or suggest, “a configuration information provided for determining subscribed services needing predetermined serving network elements,” as recited in claim 8 (emphasis added).

Claims 2-20 depend from claim 1. Claims 33-36 depend from claim 32. Accordingly, claims 2-20 and 33-36 should be allowable for at least their dependency upon an allowable base claim, and for the specific limitations recited therein. Claims 21-31 have been cancelled without prejudice or disclaimer.

Therefore, Applicants respectfully request withdrawal of the rejections of claims 1-36 under 35 U.S.C. §102(e) and respectfully submit that claims 1 and 32, and the claims that depend therefrom, are now in condition for allowance.

CONCLUSION

In conclusion, Applicants respectfully submit that Denenberg fails to disclose or suggest each and every element recited in claims 1-20 and 32-43. The distinctions previously noted are more than sufficient to render the claimed invention unanticipated. It is therefore respectfully requested that all of claims 1-20 and 32-43 be allowed, and this present application be passed to issue.

If for any reason the Examiner determines that the application is not now in condition for allowance, it is respectfully requested that the Examiner contact, by telephone, Applicants' undersigned representative at the indicated telephone number to arrange for an interview to expedite the disposition of this application.

In the event this paper is not being timely filed, Applicants respectfully petition for an appropriate extension of time. Any fees for such an extension together with any additional fees may be charged to Counsel's Deposit Account 50-2222.

Respectfully submitted,



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Enclosures: Additional Claim Fee Transmittal
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